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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/519,690	01/10/2005	Mitsunori Tsunoda	040711	9874

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EXAMINER

PATEL, DHIRUBHAI R

ART UNIT PAPER NUMBER

2831

DATE MAILED: 12/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/519,690

Applicant(s)

TSUNODA ET AL.

Examiner

DHIRU R. PATEL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/11/05 LSP
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) *
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08) *
- Paper No(s)/Mail Date 1/11/05 LSP

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Murofushi et al (6,492,592).

Murofushi et al disclose:

Regarding claim 1, a feeder assembly comprising: a space receiving a wiring harness 6 to be bend (see figs 1-4, column 5 lines 30-35); a sliding member 4 provided in the wiring harness (see fig 1, column 5 lines 29-35); and a sliding guide 3, being provided in the space to guide the sliding member (see fig 1, column 5 lines 29-35).

2. Claims 1-4, 11-13 are rejected under 35 U.S.C. § 102(b) as being anticipated by Tsubaki (7,042,738).

Tsubaki discloses:

Regarding claim 1, a feeder assembly comprising: a space receiving a wiring harness 4 to be bend (see fig 1, column 5 lines 58-65); a sliding member 7 provided in the

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wiring harness (see fig 1, column 5 lines 58-66); and a sliding guide 6, being provided in the space to guide the sliding member (see fig 1, column 5 lines 58-66).

Regarding claim 2, further comprising the space receiving the wiring harness bent in loop shape and the sliding guide to guide the sliding member to the direction to which a loop portion of the wiring harness expands or contracts the diameter (see fig 1).

Regarding claim 3, further comprising the space receiving the wiring harness bent in U-shape and the sliding guide to guide the sliding member to the direction to which a bent portion of the wiring harness expands or contracts (see fig 1, column 5 lines 58-66).

Regarding claim 4, wherein the space is provided in a protector 2 and the sliding guide is provided in the lengthwise direction of the protector (see fig 1).

Regarding claim 11, wherein a long opening to swing the wiring harness is provided in the lengthwise direction of the protector and an opening of the wiring fixing side is provided in one end side of the protector (see figs 6 and 8).

Regarding claim 12, wherein an insulating cover of each electric cable constituting the wiring harness is formed with a material which hardly degrades the rigidity with temperature and humidity changes (see column 2 lines 20-26).

Regarding claim 13, wherein a protection tube 10 covering the circumference of the wiring harness is formed with a material which hardly degrades the rigidity with temperature and humidity changes (see fig 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 5-10 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Tsubaki (7,042,738).

Regarding claims 5-7, Tsubaki disclose all the features of the claimed invention as shown above, but fails to disclose the sliding guide shape for claims 5 -7, and applicant doesn't state a particular problem is solved by the shape. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the assembly of Tsubaki with the sliding guide shape as claimed for claims 5-

7, since more than a mere change of form is necessary for patentability. In re Span-Deck Inc. V. Fab-con, Inc. (CA 8, 1982) 215 USPQ 835.

Regarding claims 8 and 10, the modified assembly of Tsubaki disclose all the features of the claimed invention as shown above, including the sliding guide is a pair of rails 25 opposed to each other, the wiring harness is inserted between the pair of rails, and the sliding member is a spherical member which contacts to slide freely on the pair of rails (see fig 3, column 7 lines 4-10).

Regarding claim 9, the modified assembly of Tsubaki disclose all the features of the claimed invention as shown above, including the sliding guide is a pair of guiding grooves opposed to each other and the sliding member has an axis which engages to slide freely on the guiding through-holes or the guiding grooves (grooves not numbered, but see fig 3, at element number 27).

Allowable Subject Matter

4. Claims 14-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DHIRU R. PATEL whose telephone number is 571-272-1983. The examiner can normally be reached on M-TH, 6:30 TO 4:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-1984. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


DHIRU R PATEL
Primary Examiner
Art Unit 2831
12/6/06
